

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1816 - SB 2240

February 8, 2018

SUMMARY OF BILL: Authorizes the Commissioner of the Department of Environment and Conservation (TDEC) to expend monies from the Ocoee River Recreation and Economic Development Fund (the Fund) to reimburse TDEC for its costs for managing the Ocoee River Management Zone (ORMZ) and for administering the Fund. Removes requirement that the Ocoee River Recreation and Economic Development Fund Board (the Board) approve any expenditures from the Fund.

Requires monies from the Fund be used for reimbursing TDEC and for the expenses of the Board before such monies may be used for infrastructure upgrades or tourism promotion for the ORMZ.

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact – To the extent the proposed legislation becomes law prior to July 1, 2018, and the Commissioner of TDEC expends monies from the Ocoee River Recreation and Economic Development Fund to reimburse TDEC for its current expenses in operating the Ocoee River Management Zone, the proposed legislation will result in TDEC receiving monies from the Ocoee River Recreation and Economic Development Fund in FY17-18, rather than FY18-19.

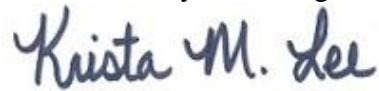
Assumptions:

- The ORMZ is owned by the Tennessee Valley Authority and the United States Forest Service, but is managed by TDEC.
- Public Chapter 434 of the Public Acts of 2017 enacted Title 11, Chapter 26, Part 1, known as the Ocoee River Recreation and Economic Development Fund Act (the Act). The Act created the Fund and the Board. The Fund was created to support the management of the ORMZ, including the costs incurred by TDEC associated with the management of the ORMZ.
- Tennessee Code Annotated § 11-26-104 requires the members of the Board to be appointed by June 15, 2018, and take office on July 1, 2018. Further, Tenn. Code Ann. § 11-26-104 requires the Board to authorize all expenditures from the Fund.
- Therefore, TDEC cannot be reimbursed from the Fund for managing the ORMZ until July 1, 2018.

- The proposed legislation authorizes the Commissioner of TDEC to expend monies from the Fund to reimburse TDEC for its costs associated with management of the ORMZ.
- The effective clause of the proposed legislation is effective upon becoming a law, the public welfare requiring it.
- To the extent the proposed legislation becomes law prior to July 1, 2018, and the Commissioner expends monies from the Fund to reimburse TDEC for its costs incurred from managing the ORMZ, the proposed legislation could result in TDEC receiving monies from the Fund in FY17-18, rather than FY18-19.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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